

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit :1638 Customer No.: 22469
Examiner : Not yet assigned
Serial No. : Not yet assigned
Filed : Herewith
Inventors :Henry Daniell Docket No.: 1202-CON2-DIV-00
:Bruce McFadden
Title :Genetic Engineering of Plant
: Chloroplasts

Dated: November 24, 2003

PRELIMINARY AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Prior to action on the merits of this case, kindly amend the above-identified application as follows:

In the Claims

Please cancel claims 1-20 as filed, without disclaiming subject matter.

Claims

21. (New) An expression cassette for stably transforming a plant chloroplast which comprises, operably joined, a heterologous DNA sequence coding for a polypeptide of interest, at least one additional structural gene or a functional portion thereof encoding a polypeptide which confers a selectable trait, and, 5' of said DNA sequence, a control sequence selected from the group consisting of a 5' untranslated region and an entire promoter region from a gene capable of expression in the plant chloroplast to provide for transcription initiation, and, downstream of said structural gene or a functional portion thereof, a termination region for termination of transcription, thereby providing expression of the coding sequence in the chloroplast of a target plant, and chloroplast DNA sequences flanking the expression cassette to